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Office of Legislative Counsel

19 MAY 1978

Mr. James M. Frey
Assistant Director for
Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Frey:

I am writing in response to your request for views on the Civil Service Commission draft bill entitled the "Federal Physicians' Pay Act of 1978." The proposal would establish an equitable pay system for physicians working in the Federal Government and provide that the Federal Government would defend certain malpractice suits brought against its physicians. The Central Intelligence Agency strongly endorses these goals.

There is, however, one provision which is potentially troublesome. Proposed subsection 5394(d) would authorize the Federal Physicians' Pay Board, which the bill would establish, to obtain information from any agency. The possibility exists, especially in the case of CIA physicians stationed overseas, that the Board may request information involving sensitive intelligence sources and methods. As you know, it is the statutory responsibility of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure (50 U.S.C. § 403(g)). The proposed bill should recognize the Director's responsibilities by making any disclosure to the Board of sensitive intelligence information subject to appropriate security procedures. This could be accomplished by amending line 1 of proposed subsection 5394(d) to read as follows:

"(d) The Board may secure from any agency, consistent with applicable security requirements, information..."

Enclosed are answers to the supplementary questions which accompanied the request for views.

Thank you for the opportunity to comment on this proposed legislation.

Sincerely,

SIGNED

[Redacted Signature]
Acting Legislative Counsel

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Enclosure

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filed OMB*
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